

83

1-28-04

PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**Request
For
Continued Examination (RCE)
Transmittal**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| | |
|------------------------|--------------------|
| Application Number | 09/936,558 |
| Filing Date | September 14, 2001 |
| First Named Inventor | Keiko Matsumoto |
| Art Unit | 1615 |
| Examiner Name | PULLIAM, Amy E. |
| Attorney Docket Number | 700938-52740-RCE |

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This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995; or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____ii. ☐ Other _____b. ☒ Enclosedi. ☒ Amendment/Replyiii. ☐ Information Disclosure Statement (IDS)ii. ☐ Affidavit(s)/ Declaration(s)iv. ☒ Other See Addendum**2. Miscellaneous**a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)b. ☐ Other _____**3. Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0850a. ☒ RCE fee required under 37 CFR 1.17(e) \$770.00ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) \$530 (3 mo. ext.; 2 mo. paid 12/29/03)iii. ☐ Other _____b. ☒ Check in the amount of \$ 1,300.00 enclosedc. ☐ Payment by credit card (Form PTO-2038 enclosed)**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

| | | | |
|-------------------|-----------------------------|-----------------------------------|------------------|
| Name (Print/Type) | Ronald I. Eisenstein | Registration No. (Attorney/Agent) | 30,628 |
| Signature | <i>Ronald I. Eisenstein</i> | Date | January 27, 2004 |

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|-------------------|--------------------------|------|------------------|
| Name (Print/Type) | Linda M. Ginsberg | Date | January 27, 2004 |
| Signature | <i>Linda M. Ginsberg</i> | | |

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Practitioner's Docket No. 700938-52740-RCE

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: MATSUMOTO, Keiko et al.
Application No.: 09/936,558 Group No.: 1615
Filed: September 14, 2001 Examiner: PULLIAM, Amy E.
For: FAST DISINTEGRATING TABLETS AND METHOD FOR PRODUCTION THEREOF

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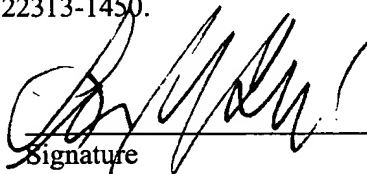
Date of Deposit: January 27, 2004

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1. Return Receipt Postcard;
2. Check in the Amount of \$1,300.00;
3. Express Mail Certificate EL934999210 (2 pg.);
4. Fee Transmittal (1 pg.);
5. Petition for Three-Month Extension of Time (1 pg.);
6. Request for RCE Transmittal (1 pg.); and
7. Copy of Amendment Filed December 29, 2003 (8 pp.).

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is on the date shown below being:


Signature

Date: January 27, 2004

Linda M. Ginsberg
(type or print name of person certifying)

Nixon Peabody LLP

Attorneys at Law

101 Federal Street
 Boston, Massachusetts 02110-1832
 (617) 345-1000

Fax: (617) 345-1300

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| 1) Examiner Thurman Page | | 703-746-3154 | 703-308-2927 |
| 2) | | | |
| 3) | | | |
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| 5) | | | |

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| From: Nicole L.M. Valtz | Date: January 27, 2004 | No. of Pages: (including this page) | |
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|--------------------------|---------|--------------|--------------|
| 1) Examiner Thurman Page | | 703-746-3154 | 703-308-2927 |
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| From: Nicole L.M. Valtz | Date: January 27, 2004 | No. of Pages: (including this page) | Client/Matter: 700938-52740 |
| User #: 7786 | Ext: 1270 | Disbursement Amount: \$ | |

Mailing Date: December 29, 2003

Attorney/Sec: RIE/NV/LMG

Client: Kaken

Docket No.: 700938-52740

Inventors: Keiko Matsumoto et al.

Serial No.: 09/936,558

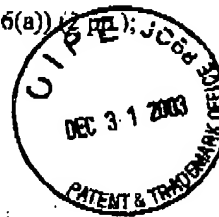
Patent No.:

Filing Date: September 14, 2001

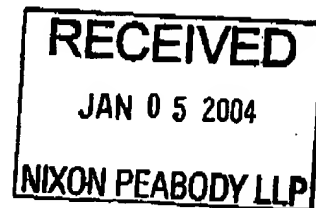
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1. Certificate of Mailing (1 pg.);
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3. Fee Transmittal (1 pg.);
4. Amendment (16 pp.);
5. Petition and Fee for Extension of Time (37 C.F.R. 1.136(a));
6. Check - \$420.00; and
7. Return Receipt Postcard.



Due Date:



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PEABODY
LLP
ATTORNEYS AT LAW

Nixon Peabody LLP
101 Federal Street
Boston MA 02110

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Commissioner for Patents



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DETACH STATEMENT BEFORE DEPOSITING CHECK

PAGE NO. 1

Practitioner's Docket No. 700938-52740

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Keiko Matsumoto et al.

Application No.: 09/936,558

Group No.: 1615

Filed: 09/14/2001

Examiner: Pulliam, Amy E.

For: FAST DISINTEGRATING TABLETS AND METHOD FOR PRODUCTION THEREOF

MAIL STOP AF**Commissioner for Patents****P.O. Box 1450****Alexandria, VA 22313-1450****CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

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on December 29, 2003.

Linda M. Ginsberg


Signature of person mailing paper

Certificate of Mailing Under 37 C.F.R. § 1.8(a)—page 1 of 1

BOS1335347.1

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| | | |
|--|------------------------|--------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 09/936,558 |
| | Filing Date | September 14, 2001 |
| | First Named Inventor | Keiko Matsumoto |
| | Art Unit | 1615 |
| | Examiner Name | Pulliam, Amy E. |
| Total Number of Pages In This Submission | Attorney Docket Number | 700938-52740 |

| ENCLOSURES (Check all that apply) | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Check and Return Receipt Postcard |
| Remarks The commissioner is authorized to charge any fee deficiencies associated with this filing to the NIXON PEABODY LLP Deposit Account No. 50-0850. | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | Ronald I. Eisenstein (30,628)/Nicole L.M. Valtz (47,150) Nixon Peabody, 101 Federal Street, Boston, MA 02110 |
| Signature | <i>Ronald I. Eisenstein</i> |
| Date | December 29, 2003 |

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| Typed or printed name | Linda M. Ginsberg |
| Signature | <i>Linda M. Ginsberg</i> |
| Date | December 29, 2003 |

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FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 420.00)

Complete If Known

Application Number 09/936,558
 Filing Date September 14, 2001
 First Named Inventor Keiko Matsumoto
 Examiner Name Pulliam, Amy E.
 Art Unit 1615
 Attorney Docket No. 700938-52740

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit AccountDeposit Account Number
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Nixon Peabody LLP

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FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|------------------------|----------|
| 1001 770 | 2001 385 | Utility filing fee | |
| 1002 340 | 2002 170 | Design filing fee | |
| 1003 530 | 2003 265 | Plant filing fee | |
| 1004 770 | 2004 385 | Reissue filing fee | |
| 1005 160 | 2005 80 | Provisional filing fee | |

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims -20** = X =
 Independent Claims -3** = X =
 Multiple Dependent =

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 1202 18 | 2202 9 | Claims in excess of 20 | |
| 1201 86 | 2201 43 | Independent claims in excess of 3 | |
| 1203 290 | 2203 145 | Multiple dependent claim, if not paid | |
| 1204 86 | 2204 43 | ** Reissue independent claims over original patent | |
| 1205 18 | 2205 9 | ** Reissue claims in excess of 20 and over original patent | |

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code (\$) | Small Entity Fee Code (\$) | Fee Description | Fee Paid |
|----------------------------|----------------------------|--|----------|
| 1051 130 | 2051 65 | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | Non-English specification | |
| 1812 2,520 | 1812 2,520 | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | Extension for reply within first month | |
| 1252 420 | 2252 210 | Extension for reply within second month | 420.00 |
| 1253 950 | 2253 475 | Extension for reply within third month | |
| 1254 1,480 | 2254 740 | Extension for reply within fourth month | |
| 1255 2,010 | 2255 1,005 | Extension for reply within fifth month | |
| 1401 330 | 2401 165 | Notice of Appeal | |
| 1402 330 | 2402 165 | Filing brief in support of an appeal | |
| 1403 290 | 2403 145 | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | Petition to revive - unavoidable | |
| 1453 1,330 | 2453 665 | Petition to revive - unintentional | |
| 1501 1,330 | 2501 665 | Utility issue fee (or reissue) | |
| 1502 480 | 2502 240 | Design issue fee | |
| 1503 640 | 2503 320 | Plant issue fee | |
| 1460 130 | 1460 130 | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 770 | 2809 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 770 | 2810 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 770 | 2801 385 | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 420.00)

SUBMITTED BY

Name (Print/Type)

Ronald I. Eisenstein/Nicole L.M. Valtz

Registration No.

30,628/47,150

(Complete if applicable)

Telephone

617-345-6054/1270

Signature

Ronald I. Eisenstein

Registration No.

30,628/47,150

Date

December 29, 2003

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